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No. 87-229

IN THE

Supreme Court, U.S.
FILED
SEP 5 1986
JOSEPH F. SPANIOL, JR.
CLERK

Supreme Court of the United States

OCTOBER TERM, 1986

NO.A-1050

GWENDOLYN L. KING, for herself, and on behalf of all others similarly situated; GWENDOLYN L. KING, as an individual,

Plaintiff(s)/Petitioner(s)/Appellant(s)

v.

STATE OF CALIFORNIA, George Deukmejian, Governor; March Fong Eu, Sec'y of State; JOHN K. VAN DE KAMP, Attorney-General of State; INTEGRITY HOME LOAN CO., INC. ["INTEGRITY, INC."]; PATRICK D. McCARRON, President of INTEGRITY, INC.; JOHN M. PLUMMER, Vice-President of INTEGRITY, INC; [LONNIE KAPLAN, SIMA KAPLAN, alleged Beneficiaries under Trust Deed No.81-1214615, L.A. County, with defunct "California Corporation" R & T FINANCIAL SERVICING CO., INC., Trustee in Foreclosure]; et al,

Defendants/Respondents/Appellees

CIVIL NO.83-6427

APPEAL FROM THE UNITED STATES

COURT OF APPEALS FOR THE NINTH CIRCUIT

JURISDICTIONAL STATEMENT

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SEPT 04'86

PETITIONER(S)/APPELLANT(S)

NO._____

King et al v California et al

734 F 2d 910 (9th Cir 1986)

NO.A-1050

JURISDICTIONAL STATEMENT

QUESTIONS PRESENTED FOR REVIEW

1. WHETHER OR NOT, IN ADDITION TO THE U.S. CONSTITUTION, UNDER ARTICLE VI, CLAUSE 2, THE FEDERAL AND STATE GOVERNMENT OFFICIALS HEREIN, ARE GOVERNED BY INTERNATIONAL LAW, TREATIES, CONCERNING THE PROTECTION OF "COLORED" MINORITIES, WOMEN, POOR--APPELLANT(S)--IN THE LEGAL DEPRIVATION UNDER COLOR OF FEDERAL & STATE LAW, OF THEIR HOMES AND LAND, PERSONAL FREEDOM AND LIBERTY, HEALTH AND WELFARE, HUMAN RIGHTS? (U.N. CHARTER, ARTICLES 55(c), 56. APPDX p.117 ; UNIVERSAL DECLARATION OF HUMAN RIGHTS, "LAW OF NATIONS," APPDX p.118 ; MULTILATERAL TREATY ON ABOLITION OF SLAV-

ERY...INSTITUTIONS & PRACTICES SIMILAR TO SLAVERY. APPDX p. 123.)

2. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE, ARTICLES I, III, VI, FIFTH [FOURTEENTH], THIRTEENTH, AMENDMENTS, U.S. CONSTITUTION, "SEPARATION OF POWERS" DOCTRINE, USDC C CA CHIEF JUDGE, MANUEL L. REAL, AND THE OTHER USDC C CA JUDGES, HAD ANY CONSTITUTIONAL AUTHORITY, POWER, JURISDICTION ON OR ABOUT DEC 24, 1982, TO PROMULGATE A "LOCAL RULE GOVERNING BANKRUPTCY CASES AND PROCEEDINGS Emergency Resolution" AND FURTHER TO "DEPUTIZE" ARTICLE I BANKRUPTCY JUDGES WITH ARTICLE III ATTRIBUTES ON DEC 27, 1982, IN CLEAR AND ANNOUNCED CONTRADICTION OF THE U.S. SUPREME COURT MANDATE OF Northern Pipeline v Marathon Pipe Line, 102 S Ct 2858 (1982)?

3. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE, ARTICLES III, VI, FIFTH

[FOURTEENTH], SIXTH, SEVENTH, THIRTEENTH, AMENDMENTS, U.S. CONSTITUTION, APPELLANT HAD A "CONSTITUTIONAL" TRIAL OR HEARING BEFORE USBC C CA ARTICLE I BANKRUPTCY JUDGES, HON. BARRY RUSSELL, HON. PETER ELLIOTT, HON. RALPH G. PAGTER, USDC C CA JUDGES MANUEL L. REAL, TERRY J. HATTER, JR., CA9 JUDGES FARRIS, PREGERSON, NORRIS, BEFORE HER HOME AND LAND, PERSONAL FREEDOM AND LIBERTY, HEALTH AND WELFARE, WERE TAKEN UNDER COLOR OF FEDERAL AND STATE LAW? AND IF NOT, WHETHER OR NOT APPELLANT WAS DENIED "DUE PROCESS" OF THE FIFTH [FOURTEENTH] AMENDMENT(S), U.S. CONSTITUTION, AND HUMAN RIGHTS UNDER THE U.N. CHARTER (TREATY), ARTICLES 55(c),56; "LAW OF NATIONS," ARTICLES 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 23, 26, 28, 30; MULTILATERAL TREATY ON ABOLITION OF SLAVERY...ARTICLES 1(a), 2, 5, 7

(a)(b), 8, 9, 10. APPDX p.123 ; APPDX p. 124 ; APPDX p.125 ; AND IF SO, WHETHER OR NOT, UNDER ARTICLES 1(a), 2, 8, 9, 10, MULTILATERAL TREATY ON ABOLITION OF SLAVERY ...INSTITUTIONS & PRACTICES SIMILAR TO SLAVERY, APPELLANT WAS AND IS ALLOWED TO "ESCAPE" FROM THE STATE OF CALIFORNIA, WITH TITLE AND INTEREST TO HER HOME AND LAND VESTED IN THE LOCALITY OF HER FREEDOM?

4. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE, ARTICLES III, VI, FIFTH [FOURTEENTH], SIXTH, SEVENTH, THIRTEENTH, AMENDMENTS, RULE 53, RULE 83, RULE 43(a), RULE 38(a), RULE 39(a), FRCP, THE ORDERS OF ARTICLE I BANKRUPTCY CONSULTANT JUDGES, HON. BARRY RUSSELL, HON. PETER ELLIOTT, HON. RALPH G. PAGTER, ADVERSARY CASES NOS. LAX82-43130BR, SA83-2194PE, SA84-01312PE Reference No.M4-768PE, RESPECTIVELY, WERE AND ARE CORAM NON JUDICE, NULL & VOID AB

INITIO, AND SHOULD BE VACATED, ANNULLED, SET ASIDE BY THIS SUPREME COURT OF THE U.S. UNDER THE "LAW OF NATIONS" ABOVE CITED IN NO.3 HEREIN? AND IF SO, WHETHER OR NOT EACH OF THE CALIFORNIA STATE COURT ORDERS IN LAMC UNLAWFUL DETAINER CASE NO.A65170CS IN LAMC CRIMINAL CASE NO.31303105DMK, DERIVATELY BASED ON THE ABOVE ARTICLE I BANKRUPTCY CONSULTANT JUDGES ORDERS, RUSSELL, ELLIOTT, PAGTER, SHOULD BE DECLARED UNCONSTITUTIONAL AND VOID BY THIS SUPREME COURT OF THE U.S. UNDER THE "LAW OF NATIONS" ABOVE CITED IN NO.3 HEREIN?

5. WHETHER OR NOT, UNDER INTERNATIONAL LAW, CONCERNING THE PROTECTION OF "COLORED" MINORITIES, WOMEN, POOR--APPELLANT(S) --THEIR HOMES AND LAND, PERSONAL FREEDOM AND LIBERTY, HEALTH AND WELFARE, HUMAN RIGHTS, IN THE COMPLETE ABSENCE OF ANY IN-COURT SWORN TESTIMONY IN ANY TRIAL COURT

IN THE COMPLETE ABSENCE OF ANY SIXTH AMENDMENT RIGHT OF CONFRONTATION DUE APPELLANT(S) IN THE TRIAL COURT BELOW, THE "DE NOVO" REVIEW OF THE NINTH CIRCUIT FURTHER DENIED APPELLANT(S) SIXTH AMENDMENT RIGHTS, "DUE PROCESS" OF THE FIFTH [FOURTEENTH], AMENDMENTS, U.S. CONSTITUTION? AND IF SO, WHETHER OR NOT SUCH "DE NOVO" REVIEW WAS AND IS A "PROCEDURAL INNOVATION" FORBIDDEN BY 28 USC 2071, AND ERROR?

6. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE, ARTICLES 1, 2, 3, 4, 7, 10, 11, 17, 28, 30, OF THE "LAW OF NATIONS," ARTICLES 1(a), 7(a)(b), 8, 9, 10, OF THE MULTILATERAL TREATY ON ABOLITION OF SLAVERY ...INSTITUTIONS & PRACTICES SIMILAR TO SLAVERY, NINTH CIRCUIT JUDGE FARRIS CAN "CREATE" A CONTRACT BETWEEN APPELLANT AND LONNIE & SIMA KAPLAN ON NOVEMBER 17, 1981, BY DECIDING,IN THEIR COMPLETE ABSENCE IN

ANY TRIAL COURT BELOW, THAT A LEGALLY PROVEN CONTRACTUAL RELATIONSHIP AND/OR LOAN OCCURRED ON NOV 17, 1981, UNDER 15 USC 1601 et seq, TILA, 12 CFR 226, CALIFORNIA CIVIL CODE (CONTRACT LAW) §§ 1549, 1550, 1558, 2920, 2922 (PAGES 911, 912, 913, OF JUDGE FARRIS' OPINION); AND WHETHER OR NOT SUCH "CREATION" OF CONTRACT WITHOUT IN-COURT SWORN TESTIMONY OF DEFENDANTS McCARRON, PLUMMER, KAPLANS, IS ERROR IN FACT AND LAW AND SHOULD BE REVERSED BY THIS SUPREME COURT OF THE U.S.?

7. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE CITED IN NO.6 HEREIN, THE CLEAVAGE DATE FOR VESTING OF CAUSES OF ACTION IN THE CHAPTER 7 BANKRUPTCY TRUSTEE, JAMES JOSEPH, ESQ., WAS APRIL 04, 1983, DATE OF FILING 11 USC CHAPTER 7 PETITION, In re King, USBC C CA Case NO.SA83-01703PE, AND ON MAY 23, 1983, WHEN APPELLANT RECEIVED

THE THREE (3) NOTICE(S) OF RIGHT TO RESCISSION OF LOANS APPLIED-FOR ON JANUARY 1, 1979, MARCH 27, 1981, NOV 17, 1981, LAWRENCE S. GREENBERG, M.D., INC., NORMAN CANTOR, M.D., LONNIE & SIMA KAPLAN, RESPECTIVELY, AND THREE (3) RESCISSION FORMS ON MAY 23, 1983, APPELLANT LEGALLY AND PROPERLY RESCINDED EN PAIS ALL THREE (3) DISPUTED TRANSACTIONS ON MAY 26, 1983, PURSUANT TO 15 USC 1631 (1968 Act May 29 1968 P.L. 90-321 Title I CHAP §115 as added October 28, 1974 P.L. 93-495 Title IV §413 (a) 88 Stat 1520 [effective until October 1, 1982]),15 USC 1635(a) & (b), Sosa v Fite (CA5 1974) 498 F 2d 114; AND WHETHER OR NOT, THE CAUSE OF ACTION, AT LAW, AROSE ON OR ABOUT SEPTEMBER 14, 1983,AFTER 11 USC CHAPTER 7 DISCHARGE OF DEBTS, WHEN THEY ATTEMPTED FORECLOSURE IN SPITE OF THE MAY 26 RESCISSIONS; AND WHETHER OR NOT, IT WAS

AND IS ERROR IN FACT AND LAW FOR NINTH CIRCUIT JUDGE FARRIS TO DECIDE THAT APPELLANT(S) SIMILARLY SITUATED ARE NOT ENTITLED TO RESCISSION EN PAIS UNDER 15 USC 1631 (1968 Act May 29, 1968 etc.,supra), 15 USC 1635 (a) & (b), TILA, 12 CFR 226, STATUTORY DAMAGES UNDER 15 USC 1640 (a)(1), 15 USC 1640 (a)(2)(b), AND A JURY TRIAL (PAGES 912, 913, 914, 915, 916 OF JUDGE FARRIS' OPINION)?

8. WHETHER OR NOT, NINTH CIRCUIT JUDGE FARRIS' OPINION CONSTRUCTIVELY INVALIDATES ACTS OF CONGRESS, 15 USC 1631 (1968 Act May 29, 1968 etc., supra), 15 USC 1635 (a) & (b), RULE 27(c), FRAP, AND SHOULD BE REVERSED IN A PLENARY DECISION BY THIS SUPREME COURT OF THE U.S. [ATTN: Solicitor-General, U.S.A., 28 USC §2403(a) may be applicable.]

.....

9. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE CITED IN NO.6 HEREIN, AND THE HELSINKI ACCORDS, INCLUDING BUT NOT LIMITED TO CALIFORNIA CODE OF CIVIL PROCEDURE §§ 83, 86, CALIFORNIA NON-JUDICIAL PRIVATE SALE FORECLOSURE ALLOWING TRANSFER OF TITLE TO LAND,IN A SUMMARY PROCEEDING, IN A COURT NOT OF RECORD, LAMC, IS UNCONSTITUTIONAL, AND IN VIOLATION OF INTERNATIONAL LAW?

10. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE CITED IN NO.9 HEREIN, CALIFORNIA NON-JUDICIAL PRIVATE SALE FORECLOSURE SUMMARY PROCEEDINGS CULMINATING IN CRIMINAL CHARGES, CPC §419 REPOSSESSION OF LAND AFTER REMOVAL BY LEGAL PROCESS, IS UNCONSTITUTIONAL, AND IN VIOLATION OF INTERNATIONAL LAW?

11. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE CITED IN NO.10 HEREIN,

PARTICULARLY ARTICLES 1(a), 2, 5, 7, 8, 9, 10, OF THE MULTILATERAL TREATY ON THE ABOLITION OF SLAVERY...INSTITUTIONS & PRACTICES SIMILAR TO SLAVERY, THE UTILIZATION OF CALIFORNIA PRIVATE NON-JUDICIAL FORECLOSURE PROCEEDINGS IN 11 USC CHAPTER 7 LIQUIDATION, ALLOWING A SELECTED ALLEGED CREDITOR TO TAKE AN ENTIRE BANKRUPTCY ESTATE, IN A COURT NOT OF RECORD, LAMC, DEPRIVING THE DEBTOR OF ALL STATUTORY EXEMPTIONS, INCLUDING HOMESTEAD, DEPRIVING ALL OTHER BONA FIDE CREDITORS OF THEIR PRO RATA SHARE, IS IN VIOLATION OF BANKRUPTCY RULE 606(b)(2), AND IS UNCONSTITUTIONAL, AND IN VIOLATION OF INTERNATIONAL LAW?

12. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE CITED IN NO.11 HEREIN, A DEC 1, 1981 DEFUNCT "CALIFORNIA CORPORATION" R & T FINANCIAL SERVICING CO., INC. TRUSTEE IN FORCLOSURE, CAN LEGALLY TRANS-

FER ANY TITLE, INTEREST, IN APPELLANT(S) HOMES AND LAND, BY R & T CO., INC. TRUSTEE'S DEED(S) UPON SALE, FROM DEC 1, 1981; AND IF NOT WHETHER OR NOT THIS SUPREME COURT OF THE U.S. CAN DECLARE THOSE R & T CO., INC. TRUSTEE'S DEED(S) UPON SALE FROM DEC 1, 1981 NULL & VOID SO AS TO QUIET TITLE DEFINITIVELY IN EACH AND EVERY APPELLANT'S HOME & LAND HEREIN USDC C CA CASE NO.CV83-5901R, King et al v California et al, supra,?

13. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE CITED IN NO.11, THE NAMED APPELLANT, A BLACK WOMAN, WHO HAS LOST HER HOME AND LAND, PERSONAL FREEDOM AND LIBERTY, HEALTH AND WELFARE, AS A DIRECT AND PROXIMATE RESULT OF THE ALLEGED SALE OF HER HOME AND LAND (BANKRUPTCY ESTATE), BY DEC 1, 1981 DEFUNCT "CALIFORNIA CORPORATION" R & T CO., INC. TRUSTEE IN FORECLOSURE, ON OR ABOUT DEC 22, 1983, R & T CO., INC. TRUSTEE'S DEED UPON

SALE NO.4267 RECORDED IN LOS ANGELES COUNTY, IN VIOLATION OF CALIFORNIA BANK AND CORPORATION TAX LAW, REV & TAX §§23302, 23304, 23571, -- HAS STANDING HEREIN TO SUE FOR THE CLASS OF APPELLANT(S), "COLORED" MINORITIES, WOMEN, POOR, WHO HAVE EITHER LOST THEIR HOMES AND LAND, PERSONAL FREEDOM AND LIBERTY, HEALTH AND WELFARE, OR ARE IN DANGER OF SO LOSING, BY THE ABOVE SAID DEC 1, 1981 DEFUNCT "CALIFORNIA CORPORATION" R & T CO., INC., AND/OR STANDING TO SEEK A MANDATORY PRELIMINARY AND PERMANENT INJUNCTION AGAINST THE STATE, STATE AG, FOR QUO WARRANTO PROCEEDINGS, CCP § 803?

14. WHETHER OR NOT, UNDER INTERNATIONAL LAW, ABOVE CITED IN NO.13 HEREIN, AND UNDER THE EMANCIPATION PROCLAMATION OF 1866, Brown v Bd of Education, 347 U.S.483 (1954), APPELLANT SUFFICIENTLY ALLEGED

FACTS OF DISCRIMINATION AGAINST A "SUSPECT" GROUP IN VIOLATION OF 42 USC 1981, 1982, 1983, 1985, 5th, 14th, 13th AMENDMENTS OF THE U.S. CONSTITUTION, OR IF NOT, UNDER THE HISTORICAL CONDITIONS OF SLAVERY, UNEQUAL AND SEGREGATED EDUCATION OF APPELLANT IN THE 40's AND 50's, WHETHER OR NOT SHE SHOULD HAVE BEEN ALLOWED, AT LEAST ONCE, TO AMEND THE COMPLAINT, AS PRAYED FOR, IN THE INTEREST OF FAIRNESS AND JUSTICE?

15. WHETHER OR NOT, UNDER Mayo v Canning Co., 309 U.S. 310 (1940), USDC C CA CHIEF JUDGE MANUEL L. REAL, ABUSED HIS DISCRETION IN DENYING APPELLANT(S) A MANDATORY PRELIMINARY AND PERMANENT INJUNCTION ENJOINING THE STATE OF CALIFORNIA, STATE AG, TO FORTHWITH BRING QUO WARRANTO PROCEEDINGS, CCP § 803 AGAINST DEC 1,1981 DEFUNCT "CALIFORNIA CORPORATION" TRUSTEE IN FORECLOSURE, R & T CO., INC.?

16. WHETHER OR NOT, APPELLANTS, EACH OF THEM AND ALL OF THEM, HAVE BEEN ILLEGALLY DEPRIVED OF THEIR HOMES AND LAND, AND/OR PERSONAL FREEDOM AND LIBERTY, HEALTH AND WELFARE, BY AGENCIES, AGENTS, OF THE STATE OF CALIFORNIA AND/OR PERSONS ACTING UNDER COLOR OF LAW OF THE STATE OF CALIFORNIA? AND IF SO, WHETHER OR NOT, THIS COURT CAN INVALIDATE DEFUNCT R & T FINANCIAL SERVICING TRUSTEE'S DEEDS UPON SALE, AS OF DECEMBER 1, 1981, HEREIN, SO AS TO QUIET TITLE TO APPELLANTS HOME & LAND?

17. WHETHER OR NOT, THIS CASE, CA9 NO.83-6427, King et al v California et al, supra, SHOULD BE CONSOLIDATED WITH CA9 NO. 84-5762, King et al v Lonnie Kaplan, Sima Kaplan et al, NOW PENDING BEFORE THE NINTH CIRCUIT, AND/OR CA9 NO.85-2879, King etc. v Russell et al, JURISDICTIONAL STATEMENT, JURISDICTIONAL STATEMENT APPENDICES, FILED

IN FORMA PAUPERIS HEREIN, AUGUST 23, 1986, UNDER 28 USC 1252 OR 28 USC 2103?

18. WHETHER OR NOT, UNDER 28 USC 455 (a) AND/OR 28 USC 455(b)(1), AND/OR ARTICLES 1(a), 2, 7, MULTILATERAL TREATY ON ABOLITION OF SLAVERY...,APPDX p.133,123,124, "LAW OF NATIONS" APPDX p.124, U.N.CHARTER (TREATY) APPDX p.117, 5th, 6th, 13th, 14th AMENDMENTS, ARTICLES IV, VI, APPDX p.114, U.S. CONSTITUTION, THE ABOVE CASES CITED IN NO.17 HEREINABOVE SHOULD BE CONSOLIDATED, UPON PROPER MOTION, AND TRANSFERRED TO THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION PURSUANT TO 28 USC 1407(a), (c)?

19. WHETHER OR NOT, CALIFORNIA PENAL CODE §419 APPDX p.147, IS UNCONSTITUTIONAL ON ITS FACE AS VAGUE OR OVERBROAD, AND/OR UNCONSTITUTIONAL AS APPLIED TO APPELLANT IN LAMC CASE NO.31303105, APPDX pp.28-110.

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ON THE ABOLITION OF SLAVERY...

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FRAP 1(a), (b)

FRAP 27(c) 9,62

FRAP 27(d)

FRAP 47

FEDERAL RULES OF BANKRUPTCY

BR RULE 6009

BR RULE 6007 (a), (b)

BR RULE 6004 (a), (e)

[Old BR RULE 606(b)(2)] 9,48

BR RULE 2002(a)(c) 9,48

CALIFORNIA BANK & CORP TAX LAW

REVENUE & TAX CODE

Cal Rev & Tax Code §23302 30,43,58

Cal Rev & Tax Code §23304 30

Cal Rev & Tax Code §23571 30,43,58

CALIFORNIA CIVIL CODE

CCC §1265	
CCC §1549	25,31,61
CCC §1550	25,31,61
CCC §1558	25,31,61
CCC §2920	25,31,61
CCC §2922	25,31,61

CALIFORNIA CODE OF CIVIL PROCEDURE

CCP §83	63,64,65
CCP §86	63,64,65
CCP §410.10	63,64,65
CCP §418.10	63,64,65
CCP §803	46,47,57,59

CALIFORNIA PENAL CODE

CPC §419	9,50,63,64
CPC §1024	50,64

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FIN

CA9 NO.83-6427

JURISDICTIONAL STATEMENT

SEPTEMBER 04,1986

NO._____

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1986

NO.A-1050

GWENDOLYN L. KING, for herself, and on behalf of all others similarly situated; GWENDOLYN L. KING, as an individual,

Plaintiff(s)/Petitioner(s)/Appellant(s)

v.

STATE OF CALIFORNIA, George Deukmejian, Governor; March Fong Eu, Sec'y of State; JOHN K. VAN DE KAMP, Attorney-General of State; INTEGRITY HOME LOAN CO., INC. ["INTEGRITY, INC."]; PATRICK D. McCARRON, President of INTEGRITY, INC.; JOHN M. PLUMMER, Vice-President of INTEGRITY, INC; [LONNIE KAPLAN, SIMA KAPLAN, alleged Beneficiaries under Trust Deed No.81-1214615, L.A. County, with defunct "California Corporation" R & T FINANCIAL SERVICING CO., INC., Trustee in Foreclosure]; et al,

Defendants/Respondents/Appellees

CIVIL NO.83-6427

APPEAL FROM THE UNITED STATES

COURT OF APPEALS FOR THE NINTH CIRCUIT

JURISDICTIONAL STATEMENT

GWENDOLYN L. KING, for herself, and on behalf of all others similarly situated; GWENDOLYN L. KING, as an individual, Plaintiff(s)/Petitioner(s)/Appellant(s), IN PRO SE herein ("APPELLANT(S)" and/or "APPELLANT"), file this JURISDICTIONAL STATEMENT, pursuant to Rules 12.3 and 15, Revised Rules of the Supreme Court of the United States, wherein it is contended that the Supreme Court of the United States has the jurisdiction on direct appeal to review the final judgment(s) in question, or that any improvident Appeal herein be treated as Petition for Certiorari pursuant to 28 USC 2103, and it is further contended that this Court should exercise such jurisdiction herein.

OPINIONS BELOW

The official report of the Opinion of

Circuit Judge FARRIS, of the Ninth Circuit Court of Appeals, appears as King et al v. California et al, 784 F 2d 910 (9th Cir 1986), and is quoted verbatim herein the APPENDICES ("APPDX") p. 1 .

The May 08, 1986 ORDER denying and rejecting APPELLANT(S) PETITION FOR RE-HEARING EN BANC, is included herein as APPDX p. 16 .

The unofficial report of the ORDER of the United States District Court of Central California ("USDC C CA"), Chief Judge MANUEL L. REAL, dated November 10, 1983, Filed November 14, 1983, dismissing Defendants, STATE OF CALIFORNIA ("STATE"), JOHN K. VAN DE KAMP, Attorney-General of the STATE ("STATE AG") from the Civil Complaint No.CV83-5901R, the Trial Court below, is included herein as APPDX p. 24 .

The unofficial report of the ORDER

DISMISSING COMPLAINT, of the USDC C CA, Chief Judge MANUEL L. REAL, dated November 10, 1983, filed November 10, 1983, dismissing Defendants, INTEGRITY HOME LOAN CO., INC. ("INTEGRITY, INC."), PATRICK D. McCARRON, President of INTEGRITY, INC. ("McCARRON" and/or "INTEGRITY, INC."), JOHN M. PLUMMER, Vice-President of INTEGRITY, INC. ("PLUMMER" and/or "INTEGRITY, INC."), from the Civil Complaint No.CV83-5901R, the Trial Court below, is included herein as APPDX p. 22 .

The only USDC C CA ORDER in the Ninth Circuit Court Record, dated November 07, 1983, denying APPELLANT(S) November 04, 1983 EX PARTE MOTION FOR EXTENSION OF TIME AND FOR CONTINUANCE OF HEARING DATE OF NOVEMBER 07, 1983 ON MOTION(S) TO DISMISS Defendants, STATE, STATE AG, INTEGRITY, INC.from the Civil Complaint No.CV83-5901R

the Trial Court below, is included herein as APPDX p. 26, and appears in the Ninth Circuit Court Record on Appeal as CR DOC NO. 19.

In the lead, related Case, United State Supreme Court ("U.S. S.C."), King et al v Real, Brosnan, Russell, Elliott, et al, ex rel Integrity, Inc., Kaplan (U.S. S.C. NO.84-695, CA9 NO.84-7097, USDC C CA No.CV83-5901R) 105 S Ct Rptr 768 no.5 (1984), which Case was dismissed for lack of jurisdiction on or about January 7, 1985, Petition for Rehearing denied on or about March 7, 1985, APPELLANT(S) had served and filed herein a JURISDICTIONAL STATEMENT NO.84-695 ("84 JS"), with attached APPENDICES ("84 APPDX"), of which this Court is respectfully requested to take Judicial Notice as referred to herein.

.....

GROUNDS OF JURISDICTION HEREIN

The direct appeal herein is from the above official report of the Opinion of Ninth Circuit Judge FARRIS as appears in King et al v California et al, 784 F 2d 910 (9th Cir 1986), quoted verbatim, and included herein as APPDX p. 1, supra, entered March 7, 1986.

APPELLANT(S) had served and filed a PETITION FOR REHEARING EN BANC on or about March 20, 1986, which was denied and rejected by ORDER dated May 08, 1986, APPDX p. 16, supra.

On May 13, 1986, APPELLANT(S) had served and filed in the Ninth Circuit, a NOTICE OF APPEAL, APPDX p. 18.

On May 28, 1986, APPELLANT(S) had served and filed in the Ninth Circuit, an AMENDED NOTICE OF APPEAL, superceding the above May 13, 1986 NOTICE OF APPEAL, supra,

APPDX p. 20 .

This direct appeal from the above official report of the Opinion of Ninth Circuit Judge FARRIS, APPDX p. 1 , supra, is being docketed within sixty (60) days of May 08, 1986, as extended to September 5, 1986, by July 11, 1986 ORDER NO.A-1050 of Mr. Justice WILLIAM H. REHNQUIST, Associate Justice, and Ninth Circuit Justice, included herein as APPDX p. 28 .

Jurisdiction is invoked herein under 28 USC 1252 and/or 28 USC 1254(1) and/or 28 USC 1254(2) and/or 28 USC 1257(1)(2) and/or 28 USC 1257(3), or 28 USC 2103 for any improvident direct appeal, as more fully described infra.

To the extent legally permissible herein, jurisdiction is further invoked under 42 USC 1981, 1982, 1983, 1985, as more fully described APPDX pp. 129,130,134.

To the extent legally permissible herein, jurisdiction is further invoked under International Law, Article VI, Clause 2 of the United States Constitution: the United Nations Charter ("U.N. CHARTER") Articles 55(c), 56, the "LAW OF NATIONS," the Multilateral Treaty on Abolition of Slavery...Institutions and Practices Similar to Slavery, and the Helsinki Accords, as concerns the protection of "Colored" Minorities and/or women and/or the poor, Title to their homes and land, their human rights under International Law, as more fully described infra, concerning APPELLANT(S) APPDX pp. 117-125.

It is suggested herein that the official published report of the Opinion of Ninth Circuit Judge FARRIS invalidates Acts of Congress, 15 USC 1601 et seq, TILA 12 CFR 226, specifically 15 USC 1631 (1968

Act May 29, 1968 P.L. 90-321, Title I Chap §115 as added October 28, 1974 P.L. 93-495 Title IV §413(a) 88 Stat 1520 (effective until October 1, 1982), specifically 15 USC 1635 (a) & (b) Rescission en pais, specifically 12 CFR 226, specifically Rule 27(c), Federal Rules of Appellate Procedure ("FRAP"), specifically 28 USC 2072 as concerns "de novo" Review [NOTA BENE: Solicitor-General, U.S.A., 28 USC 2403(b) may be applicable.]. APPDX pp. 127, 128, 132.

It is suggested herein that California non-judicial forclosure Statutes permitting transfer of Title to land in the Los Angeles Municipal Court("LAMC"),Court not of Record, and California Penal Code ("CPC") §419 are unconstitutional and/or unconstitutional as applied to APPELLANT(S) and/or as applied under Bankruptcy Rule 606(b)(2), and said Statutes are repugnant

to the U.S. Constitution, particularly Article I Section 1, Article I Section 8, Cl. 3, Article III Section 1, Article VI Cl.2, the First Amendment, Fourth Amendment, Fifth [Fourteenth], Sixth, Seventh, Eighth, Thirteenth, Amendments, of the U.S. Constitution,particularly the above described Treaties, including but not limited to the U. N. CHARTER, Articles 55(c),56, the Helsinki Accords.

Cases, International Law, Treaties, which in APPELLANT(S) opinion, sustain the jurisdiction of the Supreme Court of the United States, herein, include the following:

[28 USC 1252] McLucas v De Champlain, 421 U.S. 21, 31 (1975); U.S. v Bekins, 304 U.S. 27 (1938); International Ladies Garment Workers' Union v Donnelly Garment Co., 304 U.S. 243, 249 (1938); Fleming v Rhodes,

331 U.S. 100(1947); Reid v Covert, 351 U.S. 487, 489-490 (1956); Parker v Levy, 417 U. S. 733, 742,743 n.10(1974); Miner v Atlass, 363 U.S. 641 (1960); Jackson v Chesapeake & O Ry Co., 20 S.E. 2d 480, 493 (1942); Sanborn v Pacific Mutual Life Ins. Co., 108 P 2d (Cal 2d) 458, 461 (1941); Marbury v Madison, 1 Cranch 137, 177 (1803).

[28 USC 1254(1)] U.S. v Bankers' Trust Co., 240, 243 (1935); U.S. v United Mine Workers, 330 U.S. 258 (1947).

[28 USC 1254(2)] City of Detroit v Murray Corp, 355 U.S. 489, 492 (1958); City of New Orleans v Dukes, 427 U.S. 297, 301 (1976); Dutton v Evans, 400 U.S. 74, 76, n.6 (1970); Cox Broadcasting Corp v Cohn, 420 U. S. 469, 476-478, 480, 485-486 (1975); El Paso v Simmons, 379 U.S. 497, 501-503 (1965); Largent v Texas, 318 U.S. 418, 421-422 (1943).

[28 USC 1257(1)] Moore v Bay, 284 U. S. 4 (1931); Northern Pipeline v Marathon, 102 S Ct 2858 (1982); Fujii v State (of California), 242 P 2d (Cal 2d) 617 (1952); Flournoy v Weiner, 321 U.S. 253, 263 (1944); Ivanhoe Irrig Dist v McCracken, 357 U.S. 275 (1958).

[28 USC 1257(2)] Moore, supra; Northern, supra; Fujii, supra; Williams v Bruffey, 96 U.S. 176, 183 (1877); Lathrop v Ponohue, 367 U.S. 820, 825 (1961).

[28 USC 1257(3)] Moore, supra; Norther, supra; Fujii, supra; Diamond Nat'l Corp v State Bd of Equalization, 425 U.S. 268 (1976); Jones v Alfred H. Mayer Co., 392 U.S. 409, 440, 443-444 (1968); Griffin v Breckenridge, 403 U.S. 88, 104-105 (1971); Geofroy v Riggs, 133 U.S. 258, 266, 267, (1890); The Cherokee Tobacco, 78 U.S. (11 Wall) 616, 620-621 (1871); Reid, supra;

Brown v Bd of Education, 347 U.S. 483 (1954); Clyatt v U.S., 197 U.S. 207, 215-216 (1905); U.S. v Belmont, 301 U.S. 324, 331 (1937); the Case of Jurisdiction of the Courts of Danzig (Treaties confer rights directly upon individuals), I.C.J., Series B, No.15, p.17 (1928); I.C.J. Reports (On the Fundamental Rights of the Human Person) 1970, p.32; SEE Lauterpaucht, International Law and Human Rights (1950), pp.6-14, p.6, n.2; McDougal and Behr, 58 Amer Jour Int Law (1964),pp.603-641; 11 Howard Law Jour, Spring, 1965, pp.275-290 ("The International Protection of National Minorities and Human Rights," Rodolfo de Novo), pp.452-462 ("The Nature and Dimensions of Human Rights in the United States," Clarence Clyde Ferguson, Jr.).

[TREATIES-MULTILATERAL] U.N. CHARTER, Articles 55(c), 56, APPDX p.117 ; UNIVER-

SAL DECLARATION OF HUMAN RIGHTS ("LAW OF NATIONS") U.N. Doc A/811, December 10, 1948, Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 23, 26, 28, 30; MULTILATERAL TREATY ON ABOLITION OF SLAVERY...INSTITUTIONS & PRACTICES SIMILAR TO SLAVERY, Executive L, 88th Cong-1st Sess, September 7, 1956, Geneva, Switzerland, ratified November 2, 1967 U.S. Senate, in force December 6, 1967, Articles 1(a), 2, 5, 7 (a)(b), 8, 9, 10, APPDX p.118, APPDX p.123, respectively. Jurisdiction of the Courts of Danzig, supra; I.C.J. Reports 1970, p.32, supra; South-West Africa Cases (Second Phase) [Dissenting Judgment of Judge Tanaka, I.C.J.] Reports of Judgments, I.C.J., 1966, pp.284-316.

[28 USC 2103] Cox, supra; Palmore v U.S., 411 U.S. 389 (1973); Cantwell v Conn, 309 U.S. 626 (1939).

[42 USC 1981, 1982, 1983, 1985] Helsinki Accords (Treaty). All persons have an equitable interest in all land and a right to clear Record of Transfer of Title of Land and a right to a permanent and public Record in a superior Court of Record.

[FINALITY OF JUDGMENT] Cohen v Beneficial Loan Corp, 337 U.S. 541, 546 (1949); Burns v Ohio, 360 U.S. 252, 254-257 (1959); Eisen v Carlisle, 417 U.S. 156, 171 (1974); Gillespie v U.S. Steel Corp, 379 U.S. 148, 152 (1974); Matthew v Elridge, 424 U.S. 319, 331, n.11 (1976); Cole v Violette,319 U.S. 581, 582 (1943).

CONSTITUTIONAL, TREATY, STATUTORY PROVISIONS

The herein CONSTITUTIONAL, TREATY, STATUTORY PROVISIONS are quoted verbatim in the APPENDICES as follows:

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UNITED STATES CONSTITUTION

ARTICLE I	A. 112
Sec.1	A. 112
Sec.8 cl 1.3	A. 112
Sec.10	A. 112
ARTICLE III	A. 113
Sec.1	A. 113
Sec.2	A. 113
ARTICLE IV	A. 114
Sec.1	A. 114
Sec.2	A. 114
ARTICLE VI cl 2	A. 114
FIRST AMENDMENT	A. 114
FOURTH AMENDMENT	A. 115
FIFTH AMENDMENT	A. 115
SIXTH AMENDMENT	A. 115
SEVENTH AMENDMENT	A. 116
EIGHTH AMENDMENT	A. 116
ELEVENTH AMENDMENT	A. 116
THIRTEENTH AMENDMENT	A. 116

FOURTEENTH AMENDMENT A. 113

UNITED NATIONS CHARTER (TREATY)

ARTICLES 55(c), 56 A. 117

UNIVERSAL DECLARATION OF HUMAN RIGHTS

"LAW OF NATIONS"

ARTICLES 1, 2, 3, 4, 5 A. 118

ARTICLES 6, 7, 8, 9, 10 A. 119

ARTICLES 11, 12, 13 A. 120

ARTICLES 14, 15, 17, 18, 19 A. 121

ARTICLES 20, 23, 26, 28, 30 A. 122

MULTILATERAL TREATY

ON THE ABOLITION OF SLAVERY...

INSTITUTIONS & PRACTICES

SIMILAR TO SLAVERY

ARTICLES 1(a), 2 A. 123

ARTICLES 5, 7(a) & (b) A. 124

ARTICLES 8, 9, 10 A. 125

FEDERAL STATUTES

11 USC 105 A. 152

11 USC 541(a) A. 151

11 USC 363(b),(n) A. 151

15 USC 1631 A.126

(effective October 1, 1982)

15 USC 1631 A.127

(effective until October 1, 1982)

15 USC 1635(a) & (b) A.128

28 USC 455(a), (b)(1) A.133

28 USC 2072 A.132

42 USC 1981 A.129

42 USC 1982 A.130

42 USC 1983 A.130

42 USC 1985 A.130

FEDERAL RULES OF CIVIL PROCEDURE

FRCP 1, 2, 3 A.134

FRCP 4(a), 8(a) A.135

FRCP 38(a), (b), 39(a) A.136

FRCP 43(a), 52(a) A.137

FRCP 41(a), 53(a) A.138

FRCP 53(b), 53(e) A.139

FRCP 54(a) A.139

FRCP 54(b) A.140

FRCP 55 A.140

FRCP 83 A.141

USDC C CA Local Rule

Emergency Resolution Governing

Bankruptcy Proceedings (1982)J.S.p.35

FEDERAL RULES OF APPELLATE PROCEDURE

FRAP 1(a), (b) A.142

FRAP 27(c) A.142

FRAP 27(d) A.143

FRAP 47 A.143

FEDERAL RULES OF BANKRUPTCY

BR RULE 6009 A.148

BR RULE 6007 (a), (b) A.148

BR RULE 6004 (a), (e)

[Old BR RULE 606(b)(2)] A.149

BR RULE 2002(a)(c) A.150

CALIFORNIA BANK & CORP TAX LAW

REVENUE & TAX CODE

Cal Rev & Tax Code §23302 A.144

Cal Rev & Tax Code §23304 A.144

Cal Rev & Tax Code §23571 A.144

CALIFORNIA CIVIL CODE

CCC §1265 A. 144

CCC §1549 A. 144

CCC §1550 A. 145

CCC §1558 A. 145

CCC §2920 A. 145

CCC §2922 A. 145

CALIFORNIA CODE OF CIVIL PROCEDURE

CCP §83 A. 145

CCP §86 A. 145

CCP §410.10 A. 146

CCP §418.10 A. 146

CCP §803 A. 147

CALIFORNIA PENAL CODE

CPC §419 A. 147

CPC §1024 A. 148

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STATEMENT OF THE CASE

The STATEMENT OF THE CASE, Facts and Proceedings in Federal and State Cases involved in the herein direct Appeal from the March 7, 1986 published OPINION of Ninth Circuit Judge FARRIS, King et al v California et al, (CA9 NO.83-6427, USDC C CA NO.CV83-5901R) 734 F 2d 910 (9th Cir 1986) were fully and fairly set forth in the lead, related United States Supreme Court(U.S. S.C.) Case, from denial of a February 5, 1984 Orginal PETITION FOR WRIT OF PROHIBITION/ MANDAMUS by the Ninth Circuit on April 10, 1984, King et al v Real, USDC C CA, Brosnan, Russell, Elliott, et al, ex rel Integrity Home Loan Co., Inc., Kaplan, (U.S. S.C. NO. 84-695 A-21, CA9 NO.84-7097, USDC C CA NO. CV83-5901R) 105 S Ct Rptr 768 no.5 (1984)

On or about August 11, 1984, JURISDICTIONAL STATEMENT NO.84-695 A-21, King et al

v Real et al, supra, with attached APPENDICES ("84 JS" or "84 APPDX"), (served on all parties required to be served on August 7, 1984) was docketed in the Supreme Court of the United States.

On or about January 7, 1985, King et al v Real et al, supra, (U.S. S.C. NO.84-695, CA9 NO.84-7097, USDC C CA NO.CV83-5901R) was dismissed for lack of jurisdiction, Certiorari denied.

On or about March 25, 1985, APPELLANT(S) PETITION FOR REHEARING in King et al v Real et al, supra, was denied, and the instant Case submitted on Briefs Jan 07,1986.

APPELLANT(S) in the herein direct Appeal from the March 7, 1986 published OPINION of Ninth Circuit Judge FARRIS, King et al v California et al, supra, respectfully request this Supreme Court of the United States to take Judicial Notice of the Facts

and Proceedings in the Federal and State Court Cases, fully and fairly set forth in the above described related Federal Case, King et al v Real, USDC C CA, Brosnan, Russell, et al, ex rel Integrity, Inc., Kaplan, (U.S. S.C. NO.84-695, CA9 NO.84-7097, USDC C CA NO.CV83-5901R), supra, involving substantially the same parties, the same subject matter (28 USC 1334, 15 USC 1601 et seq, TILA, Reg Z, 12 CFR 226), the same Bankruptcy res, 4401 Don Diablo Drive, Los Angeles, California 90008. 84 JS pp. -i- through -xii-, pp.4 through 65; 84 APPDX pp.1-A through 41-A.

SUMMARY OF PERTINENT FACTS AND PROCEEDINGS:

This Court is requested to take Judicial Notice that in the L.A. Times at all times mentioned herein, INTEGRITY, INC., held itself out to the pub-

lic at large as a "Loan Broker," not a "Lender."

On or about January 1, 1979, APPELLANT owed about $20,000.00 on a First Trust Deed, secured by a Promissory Note, Loan No.0-145537-9 with GREAT WESTERN SAVINGS, A Federal S & L, and about $10,000.00 on a Second Trust Deed, secured by a Promissory Note, on the above described Bankruptcy res, Estate, valued then at some $180,000.00.

On or about January 1, 1979, APPELLANT, a Black woman, self-employed, without liquid assets or cash, had some $150,000.00 equity in her home and land, the only qualification stated in the L.A. Times Ad of INTEGRITY, INC.

On or about January 1, 1979, APP-

ELLANT made an application for a loan, and was told that no Lender was available at that time, but it would be neccesary to sign some "worksheets", including the Federal Disclosure Statement, a blank Trust Deed, so that when a Lender was found, the loan could be processed swiftly--no Promissory Note was signed by APPELLANT, no consideration passed from INTEGRITY, INC. to APPELLANT, or vice versa, on January 1, 1979, and no secured interest was created in APPELLANT'S home and land pursuant to 15 USC 1601 et seq, TILA, Reg Z, 12 CFR 226, California Civil Code ("CCC") §§ 1549, 1550, 1558, 2920, 2922. APPDX p. 127, 144, 145.

The mandatory Federal Disclosure Statement of INTEGRITY, INC. has a printed statement at the top which identifies it as an "Arranger" and states an "Arranger is a Lender " or words to that effect, but they told

APPELLANT on January 1, 1979, on March 27, 1981, on November 17, 1981, that INTEGRITY, INC. was not the "Lender," that no Lender was known at that time, and they further wrote in handwriting "No Lender is known at this time" and that when one was found, APPELLANT would be informed by them, under the above described printed statement, on each of the above dates--and no consideration was passed on each of the above dates, and no Promissory Note(s) was signed by APPELLANT in favor of INTEGRITY, INC. or anyone else on each of the above dates, and the Trust Deed(s) on each of the above dates were signed in blank. APPDX pp. 127, 144, 145.

Sometime after January 1, 1979, APPELLANT received a check from INTEGRITY, INC. but no billing information or the name of the true Lender, and APPELLANT checked the public record and found that the blank Trust

Deed she had signed on January 1, 1979, above described, had been filled in with the name of LAWRENCE GREENBERG, M.D., INC. as the Lender and Beneficiary with INTEGRITY, INC.'s Address, and APPELLANT began sending payments to LAWRENCE GREENBERG, M.D., INC. c/o INTEGRITY, INC.

At that point, INTEGRITY, INC., by letter, informed APPELLANT that payments should be made out to INTEGRITY, INC., not the Lender and Beneficiary on the recorded Trust Deed, and APPELLANT objected, by letter, informing them that the Lender would claim he was not paid.

The above described procedure, dispute, exchange of letters, occurred with the March 27, 1981 loan from NORMAN CANTOR, M.D.--no consideration passed on March 27, 1981, it was sometime after that APPELLANT received any consideration, the "worksheets" were

signed in blank, APPELLANT signed no Promissory Note, INTEGRITY, INC. in handwriting,March 27, 1981, as on January 1, 1979, wrote on the mandatory Federal Disclosure Statement, "The Lender is unknown at this time" and that APPELLANT would be informed of the name of the true Lender(s) when ascertained, APPELLANT checked the public record and found the name of NORMAN CANTOR M.D., and began without request, to make payments to NORMAN CANTOR, M.D.; INTEGRITY INC., by letter objected as above, and APPELLANT by letter stated that if she did not make the payments to the recorded "Beneficiary" NORMAN CANTOR, M.D., he could claim APPELLANT did not pay <u>him</u>, and that he did not authorize payments to INTEGRITY, INC., in his place and stead.

On November 17, 1981, the same above described scenario occurred--and no con-

sideration passed from INTEGRITY, INC. to APPELLANT, or vice versa, the "worksheets" were signed in blank, APPELLANT signed no Promissory Note in favor of INTEGRITY, INC. or anyone else on November 17, 1981, the mandatory Federal Disclosure Statement, in handwriting stated "The Lender is unknown at this time" and upon ascertaining the name of the true Lender, APPELLANT would be informed by INTEGRITY, INC. APPDX 127,144,145.

On or about December 7, 1981, INTEGRITY, INC. informed APPELLANT that they still had not found a Lender for the loan applied for November 17, 1981 to pay off the March 27, 1981 loan of NORMAN CANTOR, M.D., but if APPELLANT would sign a Statement excusing INTEGRITY, INC. for the delay, McCARRON, President,would make a personal unsecured loan, on December 7, 1981.

On December 7, 1981, a Statement was

dictated to APPELLANT by a man Clerk of INTEGRITY, INC. that APPELLANT would hold harmless INTEGRITY, INC. for delay of the November 17,1981 applied-for loan, and APPELLANT would waive her 3-day right to rescission whenever the full loan of some $32,000.00 was obtained; and APPELLANT was told that unless she wrote and signed that statement she could not receive the advance unsecured loan of some $10,000.00.

On December 1, 1981, the corporate franchise of "California Corporation" R & T FINANCIAL SERVICING CO.,INC., Trustee in Foreclosure ("R & T CO., INC."), which INTEGRITY, INC. and their Lenders use, was suspended, pursuant to California Bank & Corporation Tax Law, Revenue & Tax Code ("CTL") §§23302 , 23571, 23304. APPDX p.144 which fact was unknown to APPELLANT, but known to INTEGRITY, INC. on December 7,

1981, and to the public September 14, 1983.

On December 10, 1981, INTEGRITY, INC. recorded Trust Deed No.81-1214615 which APPELLANT had signed in blank on November 17, 1981, with the names of LONNIE KAPLAN, SIMA KAPLAN as alleged Beneficiaries as of November 17, 1981, and the name of R & T CO., INC. as alleged Trustee in Foreclosure, all in violation of 15 USC 1601 et seq, TILA, Reg Z, 12 CFR 226, specifically 15 USC 1631. APPDX p.127, further, in violation of CCC §§ 1549, 1550, 2920, 2922.

On or about June , 1982, unknown to APPELLANT, NORMAN CANTOR, M.D. substituted McCARRON as Trustee on the March 27, 1981 Trust Deed that LONNIE & SIMA KAPLAN were to have paid off by Trust Deed No.81-I214615, above described, and about June 1982, INTEGRITY, INC., McCARRON purported to execute a RECONVEYANCE DEED for the

March 27, 1981 Trust Deed of CANTOR, M.D.

On or about July 28, 1982, NORMAN CANTOR, M.D. recorded a NOTICE OF DEFAULT claiming LONNIE & SIMA KAPLAN did not pay off the March 27, 1981 loan, as recited in Trust Deed No.81-1214615, and thereafter LONNIE & SIMA KAPLAN filed a NOTICE OF DEFAULT, both claiming APPELLANT owed them.

From about July, 1982 to October,1982 APPELLANT tried to obtain the names of the true Lenders of the three (3) above described loans, and what had occurred and was occurring, and why APPELLANT had four (4) Trust Deeds recorded against her home and land which was keeping her from utilizing at least $100,000.00 in equity by refinancing--to no avail.

On about October 18, 1982, APPELLANT filed an 11 USC CHAPTER 13 Bankruptcy Petition, In re King, Case No.LAX82-17781BR,

disputing the validity of each of the above three (3) Trust Deeds, dated January 1, 1979, March 27, 1981, November 17, 1981, respectively, above described.

On or about November 29, 1982, INTEGRITY, INC., LONNIE & SIMA KAPLAN, CAPRICE L. COLLINS, ESQ., filed in the 11 USC CHAPTER 13 Bankruptcy Case No.LAX82-17781BR, Adversary Case No.LAX82-43130BR, Integrity, Inc., Lonnie & Sima Kaplan v Gwendolyn L. King aka Gwendolyn L. Greene aka Gwen Greene, requesting relief from Automatic Stay, and leave to foreclose on their interest in APPELLANT'S permanent residence, stating inter alios, that APPELLANT had no equity in her home and land, pursuant to 11 USC 362. 84 APPDX p.6-A.

On or about December 3, 1982 a Summons and Notice of Trial was issued in the above described 11 USC CHAPTER 13 Adver-

sary Case No.LAX82-43130BR, with Trial set for December 27, 1982 at 9:00 a.m. before the Hon. BARRY RUSSELL, Article I Bankruptcy Consultant Judge. 84 APPDX p.6-A.

On or about December 22, 1982, APPELLANT had served, and filed in the above 11 USC CHAPTER 13 Adversary Case No.LAX82-43130BR, an ANSWER denying each and every allegation in the above described Complaint especially that she had no equity in her permanent residence ($100,000.00+ equity) and further as affirmative defenses, inter alios, APPELLANT claimed (1) Failure of consideration from both INTEGRITY, INC., and LONNIE & SIMA KAPLAN regarding Trust Deed No.81-1214615, (2) Statute of Frauds, a COUNTER-COMPLAINT, Gwendolyn L. King v Integrity, Inc. et al, alleging inter alios (1) Breach of Contract [Trust Deed No.81-1214615], (2) Slander of Title, (3) Consp-

iracy to Slander Title, (4) Violation of Civil Rights, 42 USC 1981, 1982, 1983, 1985, and DEMAND FOR JURY TRIAL, Rule 38 (a)(b), FRCP, and REQUEST FOR TRANSFER TO USDC C CA FOR TRIAL. 84 APPDX p.6-A.

On or about December 24, 1982, USDC C CA Chief Judge MANUEL L. REAL in consensus with the other USDC C CA Judges, in anticipation of the Mandate of the Supreme Court of the United States in Northern Pipeline v Marathon, 102 S Ct 2858 (1982) purported to draft and promulgate as a "LOCAL RULE GOVERNING BANKRUPTCY CASES AND PROCEEDINGS (a) Emergency Resolution:

> The purpose of this rule is to supplement existing law and rules in respect to the authority of bankruptcy judges of this district to act in bankruptcy cases and proceedings until Congress enacts appropriate remedial legislation in response to the Supreme Court's decision in Northern Pipeline Construction Co. v. Marathon Pipe Line Co., U.S., 102 S Ct 2858 (1982), or until March 31,

1984, whichever first occurs.

The judges of the [USDC C CA] District Court find that exceptional circumstances exist. These circumstances include: (1) the unanticipated unconstitutionality of the grant of power to bankruptcy judges in Section 241(a) of the Bankruptcy Act of 1978; (2) the clear intent of Congress to refer bankruptcy matters to bankruptcy judges; (3) the specialized expertise necessary to the determination of bankruptcy matters; and (4) the administrative difficulty of the [USDC C CA] District Court's assuming the existing bankruptcy caseload on short notice.

Therefore, the orderly conduct of the business of the [USDC C CA] court requires this referral of bankruptcy cases to the [Article I] bankruptcy judges." USDC C CA LOCAL RULES 1982

On the morning of December 27, 1982, USDC C CA Chief Judge MANUEL L. REAL, purported to "deputize" the USBC C CA Article I Bankruptcy Judges with Article III attributes status quo ante Northern, supra, at 9:00 a.m. APPDX pp.112, 113, 114, 132,141.

On the morning of December 27, 1982, in the above described 11 USC CHAPTER 13 Adversary Case No.LAX82-43130BR, Integrity,

Inc., Lonnie & Sima Kaplan v Gwendolyn L. King etc., and Gwendolyn L. King v Integrity, Inc. et al, Plaintiffs/Defendants INTEGRITY, INC., LONNIE & SIMA KAPLAN, had not answered APPELLANT'S COUNTER-COMPLAINT, and were not present in Court, nor was CA-PRICE L. COLLINS, ESQ., their Attorney of Record, and APPELLANT again requested a transfer to the USDC C CA in the light of the December 25, 1982 Mandate of Northern Pipeline, supra, and objected to the assumed jurisdiction of the Hon. BARRY RUSSELL, Article I Bankruptcy Consultant Judge over the COMPLAINT and COUNTER-COMPLAINT, above described.APPDX pp.115, 136-140.

On the morning of December 27, 1982, Judge RUSSELL agreed he had no jurisdiction over the COUNTER-COMPLAINT, and stated he was dismissing it, and granting the Plaintiffs/Defendants INTEGRITY, INC.,

LONNIE & SIMA KAPLAN leave to perfect foreclosure on their interest in APPELLANT'S permanent residence, 4401 Don Diablo Drive, Los Angeles, California 90008.

On January 6, 1983, in 11 USC CHAPTER 13, Adversary Case No.LAX82-43130BR, Integrity, Inc., Lonnie & Sima Kaplan v Gwendolyn L. King, and Gwendolyn L. King v Integrity, Inc. et al, an ORDER dated December 29, 1982,/s/Barry Russell, was entered as follows:

"CAPRICE L. COLLINS...
Ent Jan 06'83

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

In Re: GWENDOLYN L. KING, etc. Debtor(s)	Bankruptcy No. LAX82-17781BR
INTEGRITY HOME LOAN CO., INC. and LONNIE KAPLAN & SIMA KAPLAN Plaintiff, vs. GWENDOLYN L. KING etc and ELSIE DAVIS, TRUSTEE Defendant(s)	Adversary No. LAX82-43130BR ORDER GRANTING LEAVE TO FORECLOSE AND RELIEF FROM STAY

Trial on Plaintiff's Request for Relief from Automatic Stay came on regularly on December 27, 1982, 9:00 a.m. Courtroom "A" of the above-entitled Court. Plaintiff was represented by its counsel, Caprice L. Collins; Defendants/Debtors were represented.

The Court having considered the evidence, court record, and oral argument advanced, made its Order as follows;

> IT IS HEREBY ORDERED, ADJUDGED AND DECREED:
>
> (1) That Plaintiff is permitted to perfect foreclosure proceedings on the subject property generally described as 4401 Don Diablo Drive, Los Angeles, California, 90008; and
> (2) That all restraining orders and automatic stays with respect to this proceeding and to any subsequent Chapter proceedings which involve the subject property and the defendant(s) herein and/or their assignee(s) or successor(s) in interest are hereby vacated, extinguished and terminated.

DATED: DEC 29, 1982

/s/Barry Russell
U.S. Bankruptcy Judge"

84 JS pp.1-11, 84 APPDX pp.1-A through 6-A.

On January 11, 1983, APPELLANT had

served and filed a NOTICE & MOTION FOR LEAVE TO FILE APPEAL IN FORMA PAUPERIS, with Hearing set for January 21, 1983 at 2:00 p.m. before Bankruptcy Judge RUSSELL.

On January 11, 1983 without NOTICE or Hearing, Judge RUSSELL denied the above MOTION FOR LEAVE TO FILE APPEAL...

On January 21, 1983, at 2:00 p.m., APPELLANT appeared in Courtroom "A" for the Hearing on the above MOTION, and without explanation in open Court, Judge RUSSELL summoned a Security Guard to force APPELLANT from the Courtroom, which the Security Guard refused to do, as APPELLANT was not engaged in any unlawful or disruptive activity, but merely sitting quietly waiting for the Hearing, which Judge RUSSELL announced would not occur, and APPELLANT left.

On or about January 21, 1983, APPELLANT borrowed money, paid fees and filed a

NOTICE OF APPEAL TO THE USDC C CA, and a NOTICE OF APPEAL TO THE NINTH CIRCUIT BAP, from the above ORDER dated Dec 29, 1982, /s/Barry Russell, U.S. Bankruptcy Judge.

On or about March 22, 1983, JACK WAGNER, Clerk of the USBC C CA purported to "unfile" the above January 21, 1983 NOTICE OF APPEAL TO THE USDC C CA, by returning the Original filed NOTICE OF APPEAL mixed with some other Original pleadings from someone else's Bankruptcy Case.

On or about March 22, 1983, BERNADINE GORDON, a Clerk of the USBC C CA, and APPELLANT is informed and believes, and alleges, a cousin of LONNIE KAPLAN, purported to close 11 USC CHAPTER 13 Adversary Case No.LAX82-43130BR. 84 APPDX p.6-A.

APPELLANT was unable to find out the disposition of the NOTICE OF APPEAL TO THE NINTH CIRCUIT BAP, after many telephone

calls, though a Return Receipt for Certified Mail indicated said NOTICE OF APPEAL was received in the NINTH CIRCUIT.

On April 04, 1983, under the above described facts and circumstances, APPELLANT filed 11 USC CHAPTER 7 Bankruptcy Petition No.SA83-01703PE, In re King, therein disputing that on January 1, 1979, March 18, 1981, November 17, 1981, any or all or some of the following were Bona Fide Creditors and/or had a secured interest in her permanent residence, home and land, 4401 Don Diablo Drive, Los Angeles, California 90008: LAWRENCE S. GREENBERG, M.D., INC., NORMAN CANTOR, M.D., LONNIE & SIMA KAPLAN, INTEGRITY, INC., respectively.

In April, 1983, APPELLANT first learned that since December 1, 1981, the corporate status, power, authority, of R & T FINANCIAL SERVICING CO., INC., to act as Trustee

in Foreclosure or conduct any intrastate activity as a "California Corporation" had been suspended by the STATE OF CALIFORNIA ("STATE") pursuant to California Bank & Corporation Tax Law, Revenue & Tax Code ("CB & CTL") §§ 23302 , 23571. APPDX p.144 ; and so informed the STATE ATTORNEY-GENERAL JOHN K. VAN DE KAMP ("STATE AG") that in violation of CB & CTL §§ 23302., 23571, R & T FINANCIAL SERVICING CO., INC. ("R & T CO., INC.") was continuing to advertise as a "California Corporation" and continuing to record documents as said Corporation and continuing to conduct Foreclosure Sales as said Corporation, and continuing to issue Trustee's Deed(s) Upon Sale as said Corporation (and is continuing at the present time, 1986 and they say until and unless a Court Order stops them, they will continue), and that APPELLANT was in danger of losing

her permanent residence, home and land, as well as others, by the unlawful activities of defunct R & T CO., INC., even after she had filed an 11 USC CHAPTER 7 Bankruptcy Petition, In re King, No.SA83-01703PE on April 04, 1983.

On May 23, 1983, APPELLANT received from INTEGRITY, INC., NOTICE OF RIGHT TO RESCIND and three (3) RESCISSION FORMS pursuant to 15 USC 1635 (a) & (b), TILA, 12 CFR 226 for LAWRENCE S. GREENBERG, M.D., INC., NORMAN CANTOR, M.D., LONNIE & SIMA KAPLAN (applied-for-loans dated January 1, 1979, March 18, 1981, November 17, 1981, respectively) APPDX pp. 127, 128 .

On May 26, 1983, APPELLANT, pursuant to 15 USC 1631 (1968 Act May 29, 1968 P.L. 90-321, Title I Chap §115 as added October 28, 1974 P.L. 93-495 Title IV §413(a) 88 Stat 1520 [effective until Oct 1, 1982])

and 15 USC 1635 (a) & (b), Sosa v Fite (CA 5 1974) 498 F 2d 114, rescinded en pais, the above three (3) alleged dated loans. Douglas v Beneficial Finance Co. (D.C Alas. 1971) 334 F Supp 1166; SEE: Boyd, "The Federal Consumer Protection Act-A Consumer Perspective," 45 Notre Dame Law, n.2 at 191 n.159, Sparhawk v Yerkes(1891) 142 U.S. 915.

On or about June 18, 1983, CAPRICE L. COLLINS, ESQ., without Service, filed in 11 USC CHAPTER 7 Bankruptcy Case No.SA83-01703 PE, In re King, filed April 04, 1983, an 11 USC 362 Adversary Complaint No.SA83-2194PE, Integrity, Inc., Lonnie & Sima Kaplan v Gwendolyn L. King, with Hearing set for Jul 12, 1983 before Bankruptcy Judge PETER ELLIOTT.

On July 11, 1983, in 11 USC CHAPTER 7 Case No.SA83-01703PE, above described, minutes before APPELLANT was granted a Dis-

charge of all debts, the above described 11 USC CHAPTER 7 Adversary Complaint No. SA83-2194PE was dismissed for lack of Service, and subsequent APPELLANT was granted the above Discharge on July 11, 1983.

On or about August 30, 1983, INTEGRITY, INC., LONNIE & SIMA KAPLAN, R & T CO., INC. set September 14, 1983 as date of Foreclosure Sale on APPELLANT'S Bankruptcy Estate, permanent residence, home and land valued at some $200,000.00 (APPELLANT equity of some $150,000.00+), 11 USC CHAPTER 7 Case NO.SA83-01703PE, above described.

On or about August 30, 1983, for herself and on behalf of all others similarly situated, APPELLANT filed a verified Complaint with the STATE, STATE AG, pursuant to California Code of Civil Procedure §803 ("CCP") requesting the STATE AG to bring QUO WARRANTO PROCEEDINGS against Dec 1 '81

defucnt "California Corporation" R & T CO., INC. Trustee in Foreclosure, which request was refused and such refusal is continuing.

On September 14, 1983, under the above described facts and circumstances, APPELLANT filed the herein verified Civil Complaint, King et al v California et al, supra, for herself, and on behalf of all others similarly situated--requesting therein inter alios, (1) LEAVE TO AMEND, (2) A JURY TRIAL, (3) A MANDATORY PRELIMINARY & PERMANENT INJUNCTION AGAINST THE STATE, STATE AG ENJOINING THEM TO BRING QUO WARRANTO PROCEEDING, CCP §803, AGAINST DEFUNCT R & T CO., INC., (4) TO ENJOIN DEFUNCT R & T CO., INC. FROM PURPORTED TRUSTEE'S SALE OF APPELLANT'S BANKRUPTCY ESTATE, HOME & LAND,(5) STATUTORY DAMAGES FOR ALL APPELLANT(S) UNDER 15 USC 1601 et seq (15 USC 1631), TILA, 12 CFR 226, (6) ACTUAL DAMAGES.

Nothwithstanding Service of the above described September 14, 1983 SUMMONS & COMPLAINT in USDC C CA Case No.CV83-5901R, King et al v California et al, supra, CAPRICE L. COLLINS, ESQ., Integrity, Inc., Lonnie & Sima Kaplan, went to USBC C CA Bankruptcy Judge PETER ELLIOTT and purported to "refile" 11 USC CHAPTER 7 Adversary Case NO.SA83-2194PE, and obtain a DEFAULT JUDGMENT, and ORDER allowing defunct R & T CO., INC. to sell APPELLANT'S home and land to them for no cash, pro tanto Trust Deed No.81-1214615, in violation of Bankruptcy Rule 606(b)(2), and thereafter they filed in the Los Angeles Municipal Court on January 5, 1984, an Unlawful Detainer Complaint No.A65170CS, alleging inter alios, that there were "Trials" in 11 USC CHAPTER 13 Case No.LAX8-43130BR, 11 USC CHAPTER 7 Case NO.SA83-2194PE , they were

adjudicated as Bona Fide Creditors of APP-ELLANT under Trust Deed No.81-1214615, and they further alleged that as of January 5, 1984, USDC C CA Case No.CV83-5901R had been dismissed, and on April 19, 1984, one day before they had any ORDER from the LAMC, and while the matter was before the Cal S Ct, Case NO.B004133, LONNIE & SIMA KAPLAN, and the Los Angeles Sheriffs broke into APPELLANT'S permanent residence, the LAMC ORDER, made Coram Non Judice by LAMC Judge CLARENCE STROMWALL dated April 20, 1984, directed to the Los Angeles Sheriffs and never executed--and the April 19, 1984 illegal break-in, was basis of the second illegal break-in September 1, 1984 by LONNIE & SIMA KAPLAN and the Los Angeles City Police on September 1, 1984, and subsequent prosecution and alleged "conviction" of APPELLANT on September 24, 1984, date of

Arraignment, by LAMC Judge DAVID M. KINNEY, without formal charge against APPELLANT for alleged violation of CPC §419 on September 1, 1984, without plea entered under CPC §1024 of "NOT GUILTY" by said LAMC Judge, without the presence of any witnesses, including the alleged Citizens Arrestors, LONNIE KAPLAN, SIMA KAPLAN, without Trial of any kind--APPELLANT simply told by said LAMC Judge, to show up on September 25, 1984 at 1:30 p.m. for Sentencing. APPDX pp.29-101, 148-150.

On September 25, 1984, before 1:30 p.m., APPELLANT filed in the USDC C CA, 28 USC 1446 REMOVAL PETITION, CR84-906 (formerly LAMC Criminal Case No.31303105) and thereafter, before 1:30 p.m., filed in the LAMC a copy of said REMOVAL PETITION. APPDX pp.102-110.

On October 04, 1984, L.A. City Att-

orneys IRA REINER, ESQ., ARTHUR WALSH, ESQ., filed an un-Noticed MOTION TO REMAND in USDC C CA NO.CR84-906TJH (LAMC Criminal No. 31303105) King v California, Kaplan, tacitly set for Hearing on October 09, 1984 before USDC C CA Judge TERRY J. HATTER, JR.

On October 09, 1984, without Notice to APPELLANT, without Hearing, USDC C CA Judge HATTER, JR., remanded LAMC Criminal Case No.31303105 by ORDER dated October 16, 1984. APPDX pp.106-110.

On October 18, 1984, pursuant to 28 USC 1252, APPELLANT appealed to the U.S. S.C. , said Appeal to be appended to the lead Case, King et al v Real, USDC C CA et al, supra, A-21, and/or the September 04, 1984 Case, King v Stromwall, LAMC, Kaplan, A-20, above described, which Appeal was not appended. APPDX p.104.

On October 18, 1984, LAMC Judge

DAVID M. KINNEY issued an Arrest Warrant for APPELLANT for alleged "non-appearance" on or about October 03, 1984, and transmitted said Arrest Warrant to the L.A. City Police, and said Arrest Warrant is still outstanding. APPDX p.100.

On or about June 24, 1984, pursuant to International Law, Multilateral Treaty on Abolition of Slavery, Institutions and Practices Similar to Slavery, Articles 1 (a), 2, 5, 7(a) & (b), 8, 9, 10, APPDX p.123, p.124, p.125, APPELLANT escaped from the State of California to the free State of Arizona, and under said Treaty, is free, with Title to her home and land, Bankruptcy Estate, USBC C CA 11 USC CHAPTER 7 Liquidation Petition No.SA83-01703PE, In re King, vested in USDC AZ Case No.CIV85-1698PHX-PGR(WEC), King etc. v Russell, Kaplan, et al, supra.

FEDERAL AND INTERNATIONAL LAW ISSUES HEREIN ARE SUBSTANTIAL

The OPINION of Ninth Circuit Judge FARRIS states "Title to King's home remains vested in the bankruptcy trustee" APPDX p. 3, but Title to the Land of APPELLANT(S) is the paramount issue herein, and said issue is of International import, for the reason that all persons in the world have an equitable interest in all land in the world, have a right to know from a "Superior" Court of Record,legal transfer of Title to Land so that there are not "secret land dynasties" which would virtually make slaves of people on the land--therefore no one must be arbitrarily or illegally dispossessed of Land in the world. APPDX pp.117, 118-121, 123-125

The named APPELLANT herein, is a poor, Black woman, descendant of those "forced immigrants" to America, circa 1619, recipient of those badges and incidents of Black

slavery, not likely to be eradicated in this 20th Century, one of a "suspect" group, "colored" minority, deserving of strict application of the Fifth, Sixth, Seventh, Thirteenth, Fourteenth, Amendments, of the United States Constitution, and under Article VI clause 2, protection of human rights under the U.N. Charter (Treaty), Multilateral Treaty on Abolition of Slavery...Institutions and Practices Similar to Slavery, "LAW OF NATIONS", herein APPDX pp.117, 118-122, 123-125, 126-127, 128-133. Case of Jurisdiction of the Courts of Danzig, I.C.J. Series B, No.15, p.17; I.C.J. Reports 1970, p.32; I.C.J. Reports 1962, p.346, Judgment on South-West Africa Cases; Edye v Robertson, 112 U.S. 580, 598 (1884); Brown v Bd of Educ. 347 U.S. 483 (1954); SEE Jessup, Philip C., A MODERN LAW OF NATIONS, pp.137, 182; Helsinki Accords.

APPELLANT(S) are entitled herein to a

social order which recognizes and respects time-honored doctrines of "separation of powers", Marbury v Madison, 1 Cranch 137, 177 (1803); Scheter Poultry Corp v U.S., 295 U.S. 495 (1935); American Brake Shoe & Foundry Co. v Interborough Rapid Transit Co., (DC NY 1932) 1 F Supp 820; "due process", North Georgia Finishing, Inc. v Di-Chem, Inc., 419 U.S. 601 (1975); Fuentes v Shevin, 407 U.S. 67 (1972); Sniadach v Family Finance Corp., 395 U.S. (1969); Flagg Bros., Inc. v Brooks,98 S Ct 1729 (1978); "confrontation of witnesses" In re Oliver, 333 U.S. 257 (1948); Palko v Conn. 302 U.S. 319 (1937); "equal protection of law" Strauder v West Virginia, 100 U.S. 303 (1880); Ex Parte Young, 209 U.S. 123 (1908); Dobbins v Los Angeles, 195 U.S. 223-241; In re Sawyer, 124 U.S. 200, 211. APPDX pp. 118-122, Article VI clause 2, United States Constitution; Northern Pipeline, supra.

A cardinal rule of International Law and American Law, is that a Court can not "create" a contract between parties, as does Ninth Circuit Judge FARRIS'S OPINION APPDX pp.3, 6, 7, 15, without the appearance of any of the alleged Creditors in any Trial Court below, in violation of APPELLANT'S Fifth [Fourteenth], Sixth, Seventh, Amendment rights, and a "procedural innovation" which is unconstitutional and in error. Sanborn v Pacific Mutual Life Ins. Co. (1941) 108 P 2d (Cal 2d) 458; Miner v Atlass, 363 U.S. 641 (1960) APPDX pp. 127, 128, 129, 144, 145; Mills v U.S. Bank (Ohio 1826) 11 Wheat 43, 6 L Ed 512.

Further, the de novo standard of review from a silent Trial Court record in the USDC C CA, absence of Findings of Fact and Conclusions of Law pursuant to Rule 52(a),FRCP, in effect a "trial de novo" in the Ninth Circuit, herein, is error, and unconstitu-

tional as a forbidden "procedural innovation" depriving APPELLANT of substantive rights under the Fifth, Sixth, Amendments, and in violation of 28 USC 2072, Sanborn, supra; Miner, supra; Jackson v Chesapeake & O Ry Co., 20 S.E. 2d 480 (1942)APPDX p.119, Article 10.

For the reason that there were no Rule 52(a) Findings of Fact and Conclusions of Law by USDC C CA Judge MANUEL L. REAL in US DC C CA Case No.CV83-5901R, said Judge abused his discretion in denying APPELLANT(S) a preliminary and permanent injunction commanding Defendants STATE OF CALIFORNIA, JOHN K. VAN DE KAMP, Attorney-General, to bring QUO WARRANTO PROCEEDINGS against December 1, 1981 defunct "California Corporation" R & T FINANCIAL SERVICING CO., INC. Trustee in Foreclosure, pursuant to CCP §803 APPDX p. 147, 121 Article 17, 120, Articles 11, 12. Mayo v Canning Co., 309 U.S. 310, 316 (1939).

The named APPELLANT herein has suffered

injury-in-fact, as a result of the preferential treatment of defunct "California Corporation" R & T FINANCIAL SERVICING CO., INC. Trustee in Foreclosure APPDX pp. 33-54, 60-62, 66-73, 78-82, 86-90, 96-111, and said injury was foreseeable to all Defendants in USDC C CA Case No.CV83-5901R as bound to happen to all APPELLANTS herein similarly situated, poor inter alia and/or "colored" minorities, and/or women, all without sufficient political, social, economic, power to protect their homes and land from illegal confiscation in violation of California Bank and Corporation Tax Law, Rev & Tax Code §§ 23302, 23571 APPDX p.144, pp.33-39, pp.118-120; and the named APPELLANT has jus tertii standing to make an "equal protection of law" challenge of the above §§23302, 23571 statutes. Barrows v Jackson 346 U.S. 249, 255, 257 (1953); Baker v Carr, 369 U.S. 186, 204 Griswald v Conn. 381 U.S. 479, 481 (1965)

Eisenstadt v Baird, 405 U.S. 438 (1972).

Further, once APPELLANT made a distinction which disadvantaged APPELLANT(S) in the illegal deprivation of their homes and Land by December 1, 1981 defunct "California Corporation" R & T FINANCIAL SERVICING CO., INC. Trustee in Foreclosure, which only the STATE OF CALIFORNIA, JOHN K. VAN DE KAMP, Attorney General, could prevent under CCP §803 QUO WARRANTO PRODEEDINGS, the STATE, AG, had the burden of justifying a State interest, legitimate or compelling as to why it would not bring QUO WARRANTO PROCEEDINGS, which they did not do, it was and is error for Ninth Circuit Judge FARRIS to raise a defense for said Defendants, on Appeal, which they did not raise themselves APPDX p.15; and further APPELLANT did state in the Complaint that the State had no compelling interest in not stopping the illegal activity of defunct "California Corporation" R & T FINANCIAL

SERVICING CO., INC. Trustee in Foreclosure (C.R. DOC. 1 Complaint p. 30). F.S. Royster Guano Co. v Virginia 253 U.S. 412 (1920); Reed v Reed, 404 U.S. 71, 75-76 (1971).

The named APPELLANT filed a 11 USC CHAPTER 7 Liquidation Petition, In re King, SA83-01703PE on or about April 14, 1983, Discharge granted July 11, 1983, and April 14, 1983 was the cleavage date for causes of action before that date to vest in 11 USC CHAPTER 7 Bankruptcy Trustee, JAMES JOSEPH, ESQ.--personal defenses and personal rights subsequent to April 14, 1983 did not vest in said Trustee, and on May 26, 1983, after receiving the names of LAWRENCE S. GREENBERG, M.D., INC., NORMAN CANTOR, M.D., LONNIE KAPLAN, SIMA KAPLAN, the Notice of Right to Rescission, the Rescission forms, from Defendant INTEGRITY HOME LOAN CO., INC. on May 23, 1983, APPELLANT en pais, pursuant to 15 USC 1631 (effective until October 1,

1982) APPDX p.127, 15 USC 1635(a) & (b) APPDX pp.128, 129, effectively rescinded the alleged January 1, 1979, March 27, 1981, November 17, 1981 Loans, Trust Deeds, where no consideration passed on those days, and the parties were unknown to APPELLANT in violation of CCC §§1549, 1550, 1558, 2920, 2922 APPDX pp.144, 145, in violation of 15 USC 1631 (effective until October 1, 1982) APPDX p.127, and the OPINION of Ninth Circuit Judge FARRIS is in error that Rescission is not available for the November 17, 1981 applied-for loan for the same reason damages are not available APPDX pp.6, 7, 15, and further said Opinion effectively invalidates the above 15 USC 1631 APPDX p.127, and without explanation, 15 USC 1635(a) & (b) APPDX p.3. Sosa v Fite (CA5 1974) 498 F 2d 114; Sparhawk v Yerkes, 142 U.S. 915 (1891); and further APPELLANT believes the above said OPINION is that of a single

Ninth Circuit Judge, FARRIS, without active, overt, concurrence of Ninth Circuit Judges NORRIS, PREGERSON, and is forbidden by Rule 27(c), FRAP APPDX p.142, 143, 132. Miner, supra.

APPELLANT contends herein that the US DC C CA Local Rule Emergency Resolution on or about December 24, 1982, and the December 27, 1982 "deputizing" of Article I Bankruptcy Judges with Article III attributes in disregard of Rules 53,83,FRCP,were unconstitutional, and that the ORDERS of Article I Bankruptcy Consultant Judges BARRY RUSSELL, PETER ELLIOTT dated December 29, 1982, LAX82-43130BR, dated October 25, 1983, herein pp. 35-36, 38-39, APPDX pp.29-31, are NULL & VOID ab initio, and should be so declared by this Court, to vested Title definitely in APPELLANT, Gwendolyn L. King, to her home and land, 4401 Don Diablo Drive, Los Angeles, California 90008, now illegally possessed as

September 1, 1984 by LONNIE KAPLAN, SIMA KAPLAN and/or MARCUS TODD, EDNA TODD APPDX pp.33-34, 35-39, 54, 60-62, 65, 66-70, 71-73, 74-111. Danzig, supra; Northern, supra; Sosa, supra; Sparhawk, supra; Color Craft, Re (BC Utah 1983) 27 B.R. 382; In re Conley, (BC Tenn 1983) 26 B.R. 782; American Brake, supra; Marbury, supra; Flagg Bros., supra; Sniadach, supra; In re Exennium (1982 BAP9 Cal) 23 B.R. 782; Donovan v Schuenke & Sampsell (9th Cir 1955) 226 F 2d 804; Bank of Calif Nat'l Assoc v McBride (9th Cir) 132 F 2d 769; Matter of Essex Properties (DC Cal 1977) 430 F Supp 1112. APPDX pp. 148-152.

APPELLANT further contends that CPC §419 REPOSSESSION OF LAND AFTER REMOVAL BY LEGAL PROCESS APPDX p.147-148 is unconstitutionally vague on its face, to wit: "Every person--who has been removed--from any lands--from process of law ("DUE" omitted)

...of any Court, tribunal, or officer..." allows a Court without statutory jurisdiction, a person without statutory jurisdiction, to effect a Transfer of Title to Land, as herein, by mere intimidation, CCP §§83, 86, APPDX pp.54, 65, 71-73, 79-80, 81-82, 86-90, 96-98, 99-101, 102-105, 106-108, 109-110, 111.Edwards v So. Carolina, 372 U.S. 22 229 (1963); Thompson v Louisville 362 U.S. 199 (1959); De Jonge v Oregon, 299 U.S. 353, 362 (1937); Yick Wo v Hopkins, 118 U.S. 356 (1886); Traux v Corrigan (1921) 257 U.S. 312. For the foregoing reasons APPELLANT contends California non-judicial foreclosure statutes are unconstitutional.

Under the facts and circumstances of this case, USDC C CA Case No.CV83-5901R, USDC C CA Judge MANUEL L. REAL stating publicly on or about January 24, 1984 that APPELLANT should be evicted on February 10, 1984 and he was "remanding" said Federal

causes of action in USDC C CA Case No.CV83-5901R, King et al v California, Kaplan et al, supra, filed September 14, 1983 (OPINION of Ninth Circuit Judge FARRIS APPDX pp.3, 4) to LAMC Case No.A65170, Kaplan v King, filed January 5, 1984 APPDX pp.54, 60-62, 33-39, Judge REAL should disqualify himself under 28 USC 455(a), 28 USC 455(b)(1) objective "reasonable" person standard and under 28 1407(a), (c), all of the herein pending CA9 Cases, Nos.84-5762, 85-2879, should be consolidated by the Judicial Panel on Multi-district litigation. International Law APPDX pp.117-125.

CONCLUSION

For the foregoing reasons, APPELLANT(S) respectfully urge this Court to take jurisdiction of this Appeal herein.

DATED: September 04, 1986

Respectfully submitted, Gwendolyn L. King

GWENDOLYN L. KING, In Pro Se